

HALL COUNTY BOARD OF SUPERVISORS MEETING MARCH 25, 2003

The Hall County Board of Supervisors met March 25, 2003, by published call in the county board meeting room, 121 South Pine, Grand Island.

CALL TO ORDER- The meeting was called to order Chairman Pamela Lancaster

INVOCATION - Invocation was given by Rev. Jim Keyser.

PLEDGE OF ALLEGIANCE – The Pledge of Allegiance was given in unison

ROLL CALL – Present on roll call were Scott Arnold, Jim Eriksen, Dick Hartman, Bob Humiston, Bud Jeffries, Pamela Lancaster and Robert Rye. Also present were County Attorney Jerry Janulewicz and news media representatives from the *Grand Island Independent* and KRGI.

Arnold made a motion and Jeffries seconded to approve the following by consent agenda:

1. Accept and place on file the minutes of the March 11 meeting
2. 10 Approve Resolution #03 – 009 for the sale of surplus property
3. 18 Approve the appointment of Gary Camp of Wood River to the veterans service committee
4. 19 Approve the amusement license for Mid Nebraska Speedway
5. 23 Accept and place on file the office reports from the Register of Deeds and Emergency Management
6. 24 Accept and place on file the Hall County Treasurer's Miscellaneous Receipts
7. 25 Accept and place on file communications as received

Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

OFFICE REPORT FEBRUARY 2003

DOCUMENTARY STAMP FEES	\$3,057.91
RECORDING FEES	22,863.00
PHOTO FEES	593.20

1a, ROXANNE VIPOND – CHILD CARE SOLUTION PRESENTATION AND APPROVE RESOLUTION FOR CHILD ABUSE AWARENESS MONTH – Roxanne Vipond with Child Care Solution was present and stated that April is Child Abuse Awareness Month and the child care class from Central Community College would like to present the blue ribbons to the county board. The children presented the ribbons and County Clerk Marla Conley read the Child Abuse Awareness Proclamation.

Arnold made a motion and Eriksen seconded to approve Proclamation # 03-010 for Child Abuse Awareness Month. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

COUNTY ATTORNEY – a DISCUSS AND APPROVE RESOLUTIONS FOR HIPAA COMPLIANCE – County Attorney Jerry Janulewicz was presented the HIPAA resolution for the boards consideration. In 1996 and 1997 the federal HIPAA regulations regarding health insurance coverage for employees that have terminated employment went into effect. These regulations established a procedure for record keeping and polices to eliminate the gaps in health coverage when an employee changed jobs.

One of the other aspects of HIPAA is the security and confidentiality of medical records. There were cases in 1990 when sensitive health information was discarded and the information was not protected. Laws were enacted to secure health records and maintain the confidentiality. Hall County has health information that exchanged with the third party health insurance provider, information that is shared with Health and Human Services and information at the jail. Hall County will have to comply with the confidentiality of this information and how it is maintained. Another aspect is the security of this information and how it is transmitted. We may not be hit as hard as the medical community but we will be affected by how and when this information can be disclosed. These regulations were to create administrative simplicity and there are 500 pages of rules. They are confusing and there are gray areas and very little guidance. The first step that is need to approve a resolution for a HIPAA compliance initiative and to appoint a coordinator. There will be additional resolutions to determine which departments will need to comply and setting up policies and procedures. Janulewicz stated that Stacey Ruzicka and Marla Conley have had several meetings to start the process. He stated he would serve as the HIPAA Coordinator. In some counties they have even hired consultants to address these issues.

Lancaster stated that these unfunded mandates always seem to impose more work on Jerry. Janulewicz stated that the initial start up will be difficult but once everything is in place the county should be able to handle it. I

Arnold made a motion and Rye seconded to approve Resolution #03-011 mandating a HIPAA Compliance initiative and appointing Jerry Janulewicz as the HIPAA Coordinator Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

2b AUTHORIZE ACCEPTANCE OF DEED FOR CAAP TOWER SITE – County Attorney Jerry Janulewicz stated that the county board approved the purchase of the land for the tower site; and the fee for the purchase of the land has been paid. The County will need a permanent easement for the actual tower site. He is requesting that the board authorize the chairman or him to accept the deed for the property. Arnold made a motion and Humiston seconded to authorize Jerry Janulewicz to accept the deed for the purchase of property for the tower site. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

2c DISCUSS AND TAKE ACTION REGARDING REQUEST FROM CALVARY APOSTOLIC CHURCH – County Attorney Jerry Janulewicz provided the board member with an opinion regarding the request for the exemption. The Church failed to file the necessary affidavit of use for the property when the filings were due or in the six-month grace period. They did not meet the deadline in December or the June deadline. As a

result the property was placed on the tax roles. He stated that the board of equalization has no legal authority to discharge or release the property from the tax lien. Their hands are tied. The board thanked Jerry for the information. This will be addressed at the board of equalization meeting.

PUBLIC PARTICIPATION – Chairman Lancaster called for public participation and no one responded.

5 DISCUSS & APPROVE RESOLUTION FOR DEED FOR RIGHT OF WAY FOR TAYLOR RANCH –County Surveyor Dan Hostler was present and he stated that they have finally negotiated the right-of-way for Taylor Ranch for Project BRO 7040(23) and he is requesting the board to approve the resolution. He also has the right-of-way agreement for bridge project BRO 7040(24) and the agreements with Quest for bridge projects BRO 7040(23) and BRO 7040(24). Hartman made a motion and Humiston seconded to approve Resolution #03-012 for the deed for right of way for Taylor Ranch, authorize the chair to sign the right-of-way agreements for Project BRO 7040(23) and BRO 7040(24) and to authorize the chair to sign the two agreements with Quest for Projects BRO 7040(23 and BRO 7040(24) Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

4 9:30 A.M. BID OPENING WATER & SEWER PROJECT AT HALL COUNTY PARK -
The following bids were received and read:

BIDDER	BID BOND	TOTAL BID
GENERAL EXCAVATING LINCOLN, NE	YES	\$129,117.65
STAROSTKA GROUP GRAND ISLAND, NE	YES	\$139,424.00
DIAMOND ENGINEERING GRAND ISLAND, NE	YES	\$156,138.00
JUDDS BROS CONST LINCOLN, NE	YES	\$\$174,404.00

Jeffries made a motion and Arnold seconded to refer these to the park committee and they will review them and come back today. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

2d EXECUTIVE SESSION REAL ESTATE NEGOTIATIONS – Eriksen made a motion and Humiston seconded to go into executive session to discuss real estate purchase. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

10:36 a.m. Arnold made a motion and Rye seconded to go out of executive session. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

6 PUBLIC HEARINGS FOR RENEWAL OF CONDITIONAL USE PERMITS – Max Boersen was present. These permits are for four renewals. One permit was changed to 5-years and the fee for the renewals has increased to \$500.00. The renewals for Electronic Services are for two towers one located in Cameron Township by Randall and

Pam Dubbs and the other one is in Alda Township by Emil Schaff. Discussion was held and they will have to open each public hearing.

RENEWAL FOR CONDITIONAL USE PERMIT FOR ELECTRONIC SERVICES – Jeffries made a motion and Hartman seconded to open the public hearing. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

Chairman Lancaster called for public participation and no one responded.

Jeffries made a motion and Hartman seconded to close the public hearing. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

Jeffries made a motion and Hartman seconded to approve the conditional use permit for Electronic Services. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

RENEWAL FOR CONDITIONAL USE PERMIT FOR ELECTRONIC SERVICES – Jeffries made a motion and Humiston seconded to open the public hearing. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

Chairman Lancaster called for public participation and no one responded.

Hartman made a motion and Jeffries seconded to close the public hearing. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

Jeffries made a motion and Hartman seconded to approve the conditional use permit for Electronic Services. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

PUBLIC HEARING FOR THE RENEWAL FOR A CONDITIONAL USE PERMIT FOR HEARTLAND COOP - Jeffries made a motion and Humiston seconded to open the public hearing. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

Chairman Lancaster called for public participation and Ken Moore with Heartland Coop was present and stated he appreciates the opportunity to operate the coop. They provide anhydrous ammonia and petroleum products to area farmers. He is requesting to have the permit renewed. .

Hartman made a motion and Humiston seconded to close the public hearing. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

Hartman made a motion and Jeffries seconded to approve the conditional use permit for Heartland Coop. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

4d PUBLIC HEARING FOR THE RENEWAL FOR CONDITIONAL USE PERMIT FOR PLATTE RIVER BY PRODUCTS – Jeffries made a motion and Hartman seconded to open the public hearing for the conditional use permit for Platte River By Products. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

Chairman Lancaster called for public participation and Ed Meininger with Platte River By Products was present and stated he is requesting the renewal for the rendering plant and would be glad to answer any questions.

Hartman made a motion and Hartman seconded to close the public hearing. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

Jeffries made a motion and Humiston seconded to approve the conditional use permit for Platte River By Products. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

7 ROSALIE LIPPINCOTT TO REQUEST HISTORICAL MARKER NORTH OF WOOD RIVER – Jeffries stated that Rosalie Lippincott talked to Dan Hostler concerning the construction of a historical marker. Mrs. Lippincott was present and said that when she was 15 years old she witnessed the crash of B-17 plane that was on a training mission from Kearney. The eight men aboard the plane were killed and she has always wanted to recognize them. She wants to place a historical marker off of the road to recognize this incident. She has contacted the historical society and has the information from them. Dan Hostler stated that the public works department will be able to build a turn-off that will be able to handle a motor home and they will need to install a culvert. Dan stated the cost of the culvert will be about \$500.00. The costs to cover the monument will be from donations. Mrs. Lippincott stated that they would like to have a single post marker and they dedication will be on August 17, 2003. They are hoping that some of the relatives will be able to attend. Eriksen stated that he supported the plan and suggested that it be referred to the public works committee.

Jeffries made a motion and Humiston seconded to refer this to the public works committee and come back with the costs and details. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

8 APPROVE RESOLUTION PROCLAIMING APRIL AS PUBLIC HEALTH MONTH – Eriksen stated that Shirley Terry with the Central District Health Department was present and County Clerk Marla Conley read the resolution for public health month. Eriksen made a motion and Jeffries seconded to approve Resolution #03-013 Proclaiming April as Public Health Month. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

5e DISCUSS & REVIEW REQUEST FOR EXTENSION OF ELM ISLAND ROAD – The Hall County Board received a letter from Duane Burns attorney for Thomas & Marty Ann Purdy concerning access to their property from Elm Island Road. The dedicated public road stops between sections 25 and 26 even though the road continues to run south to the section line. Since a portion of this road is not officially opened the land owned by the Terry's cannot be accessed. They are now requesting that anything be done to the

road they just need to have the right-of-way so their land can be accessed. Dan Hostler stated that they have to provide access to the property.

Jeffries made a motion and Hartman seconded to refer this to the public works director and county Attorney Jerry Janulewicz and bring it back to the board for further action. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

Jeffries requested that the board break so the park committee can review the bids for the water and sewer project for the park.

Returned to session. Jeffries stated that the park committee and the engineer reviewed the bids and recommended awarding the bid to the low bidder General Excavating from Lincoln Nebraska. Jeffries made a motion and Humiston seconded to award the bid to General Excavating and authorize the chair to sign the contract. The total bid was \$129,117.65. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

Jeffries stated that the park committee also discussed the need to close the camping sites at Hall county Park until the construction of the diversion ditch is completed. They hope that this will be completed by fall. Arnold stated that most of the committee would like to open the park before Labor Day but if the work is not completed it would be better to close for the entire season. Parks Director said that they will also be working on the construction of the road and he may also have to close it then.

Jeffries made a motion and Arnold seconded to close the park for camping until the diversion project is completed and to have Park Director Chuck Kaufman close the park when necessary for the construction of the road and the water and sewer system for safety reasons. He will have to let the public know when it is closed. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

9 PURCHASE OF SERVICES FROM ABACUS BUSINESS SERVICES – Will Bennett with ABACUS Business Services was present to update the board on the computer system. He provided a power point presentation on the status of the mobile data system with the sheriff and police department.

Jeffries stated that the current budget is almost \$800,000.00 and in two years it would be \$1,000,000.00. Lancaster stated that the county computer budget is under one budget and the county does not have a department to handle this.

Jeffries stated that this is a big priced item for the county and the taxpayers should know this. The only costs that the departments have to spend are the consumables.

Lancaster stated that the computer department has built in replacement costs for the computers in the annual budget. Arnold stated that it is hard to understand how something that we did not need five years ago can be a million-dollar budget. With the computer the county is doing a better job they used to have paper files now they use the computer.

Mr. Bennett asked if the board would like regular updates and they said they would. The computer committee will suggest when the updates should be done. The committee has been looking at hiring someone to work for the county and what they are proposing today is to amend the existing contract with ABACUS and use one person from ABACUS to work 8 hours a day five days a week for the county's computer needs. This person would be employed by ABACUS and could be located in the server room. The county would be billed a flat fee of \$25.00 an hour for the services instead of \$50.00. This would save money.

Humiston made a motion and Rye seconded to allow one person from ABACUS to work 8 hours a day 5 days a week for a flat fee of \$25.00 an hour. This should save about \$52,000.00 a year.

Jeffries stated that the county hired an engineer for the same amount of money and now a person for the computers. Lancaster stated that this would save \$50,000.00 a year.

The vote on the motion was taken. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

11 DISCUSS & AUTHORIZE CHAIR TO SIGN AGREEMENTS FOR HANDI BUS – Discussion was held and the board questioned why there wasn't a cover letter or explanation. Arnold made a motion and Eriksen seconded to table these agreements for further information and bring them back at the next meeting. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

12 EXECUTIVE SESSION PERSONNEL – Jeffries made a motion and Arnold seconded to go into executive session for personnel. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

12:20 a.m. executive session

12:40 a.m. Jeffries made a motion and Arnold seconded to go out of executive session. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

16b EXECUTIVE SESSION PERSONNEL CLAIMS – Jeffries made a motion and Humiston seconded to go into executive session for a personnel claim. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

12:50 a.m. executive session

12:55 a.m. Jeffries made a motion and Humiston seconded to go out of executive session. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

Jeffries made a motion and Eriksen seconded to refer the personnel claim to the county attorney. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

16 COMMENCE AUDIT OF BIWEEKLY PAY CLAIMS AND REGULAR CLAIMS AND ACTION ON CLAIM AUDIT – The board members reviewed the claims.

Jeffries made a motion and Humiston seconded to deny the claims from Steve Beegle for bond money. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

Hartman made a motion and Jeffries seconded to approve the salary and regular claims as audited and authorize the clerk to pay. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

16c DISCUSSION ON CLAIM FOR REIMBURSEMENT OF AIR CARRIER TAXES – The County Treasurer received a letter from the state concerning an overpayment of air carrier taxes by Express Jet Inc. The distribution from the state was wrong and now the taxes that were paid must be paid back to Express Jet. These dollars go to the general fund only so only the counties have to pay them back. Discussion was held and Hartman made a motion and Eriksen seconded to approve the claim for payment to Express jet in the amount of \$24,365.65. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

BOARD ASSISTANT'S REPORT – Board Assistant Stacey Ruzicka, reminded the personnel committee that they have a personnel committee meeting. She also reported that the maps that the villages could purchase would cost \$200.00 and Chad Nabity with regional planning stated he could not buy the maps for them because of funding. Chris Bushkohl with the GIS department can print maps for them. The board approved printing the maps for Cairo and Wood River. JEO was hired to do the comprehensive development plan and they did come in under budget.

BOARD MEMBER REPORTS – Hartman none

Humiston – He attended the computer committee meeting, the economic development meeting and the interlocal committee meeting.

Eriksen – He attended the comprehensive planning meeting and they are getting close to a proposed final draft of the plan.

Rye He attended the personnel committee meeting.

Jeffries – He attended the par meeting, the conditional use committee meeting, personnel meeting and the Stuhr Museum meeting.

Arnold – All reported on.

Lancaster – She attended the merit commission meeting, the long-range planning meeting and personnel.

NEW OR UNFINISHED BUSINESS – The County Board will be unable to take action on non-agenda items.

County Clerk Marla Conley questioned if the audit committee wanted her to proceed with the numbering system for the inventories. She stated she priced some of the stickers

and they are expensive. The board referred this to the audit committee and they will come back with a recommendation.

Meeting adjourned at 1:08 a.m. the next meeting will be April 8, 2003

Hall County Clerk Marla J. Conley

REMINDER – The County Board meetings may be viewed in GITV Cable Channel 6 Wednesday at 8:00 p.m.